

Amendments to the Drawings

Attached are replacement drawing sheets 1/9-9/9.

REMARKS

The Office Action addresses claims 1-12. By the foregoing amendment, claim 1 is cancelled and new claims 13-17 are presented for consideration. Claims 2-17 remain in the application. Claims 2, 4, 6, 7, 9 and 10 have been withdrawn from consideration. A substitute specification and a marked-up copy thereof are provided. No new matter is added.

The drawings are objected to as failing to comply with 37 CFR \$1.84. Every objection to the drawings delineated in the office action has been addressed either in the attached Replacement Sheets 1/9-9/9 of the drawings, and/or in the amended portions of the attached Substitute Specification. No new matter is added. Withdrawal of the objection is respectfully requested.

Claims 1, 3, 5 and 8 stand rejected under 35 USC \$102(b) as being anticipated by, or in the alternative under 35 USC \$103(a) as being obvious over Danylieko '886. Claims 1, 3, 5, 8, 11 and 12 stand rejected under 35 USC \$102(a) or (e) as being anticipated by Falbo, Sr. et al. '196. These rejections are respectfully traversed. In light of the foregoing amendment, whereby claim 1 has been cancelled, the rejections should be considered moot with respect to claims 1, 3, 5 and 8. With respect to claims 11-12, the rejection is respectfully traversed, in that Falbo, Sr. et al. '196 does not disclose the elements of claim 11. Claim 12 depends from claim 11 and should be considered patentable therewith.

Falbo, Sr. et al. '196 discloses a method and apparatus for obtaining mammographic images. A patient support 10 includes a central region 52 and a number of support arms 54, 56, 58 extending transversely from the central region 52. A number of filler sections 16, 18, 20 and 22 span between the support arms which when in the horizontal position form a substantially rectangular table. The central section 52 is of a width to provide full support of a patient's torso region while the patient is reclined on her side as shown in Figure 1.

Referring to Figures 1 and 2, a patient's head is supported by head support 28, the patient's torso is supported substantially by the center section 52, in the portion between the support arm 54 at the shoulder of the patient and the support arm 58 at the hip of the patient. Again, the center section 52 has sufficient width to support the torso of the patient while lying on her side. However, the width of center section 52 is insufficient to support the full width of the torso, or thoracic region, while the patient is lying on her back. However, at the same time, the center section 52 is not sufficiently narrow so as to result in open areas configured in such a way that the shoulder blade areas of the person can move downward past the support surface, as required by claim 11. Therefore, Falbo, Sr. et al. '196 does not disclose all of the elements of claim 11. Accordingly, withdrawal of the rejection of claims 11-12 and reconsideration of the claims are respectfully requested.

Further, Falbo, Sr. et al. '196 fails to disclose the elements of newly presented independent claim 13, and claims 14-17 that depend therefrom. Claim 13 recites a back support section having a first support surface with a width dimension being significantly less than a width dimension of a second support surface, the first support surface supporting a spinal column region and being sufficiently narrow to permit respective shoulder blade areas of a person to move downwardly below the first support surface without interference. As discussed above with regard to claim 11, the center section 52 in Falbo, Sr. et al. '196 does not have a width dimension sufficiently narrow to permit respective shoulder blade areas of the person to move downwardly below the center section without interference, as required by claim 13. Claim 14 recites, inter alia, the width dimension of the open areas being greater than the length dimension. Falbo, Sr. et al. '196 clearly does not disclose this element of the claim.

Danylieko '886 discloses a workout bench having a spinal support 12 with arcuate lateral indentations or recesses 28.

However, Danylieko '886 does not teach that "a width dimension of [a] first support surface [is] significantly less than [a] width dimension of [a] second support surface to define a pair of outwardly opening areas on opposite sides of said back support for receiving respective shoulder blades of the person such that said first support surface disposed between said areas supports a spinal column region of the person," as recited in claim 13. Instead, Danylieko '886 teaches a back support having only a marginally narrowed portion. Further, Danylieko '886 does not disclose that "said width dimension of said first support surface is sufficiently narrow to permit respective shoulder blade areas of the person to move downwardly below said first support surface without interference, said second support surface having a longitudinal dimension and a width dimension sufficient for fully supporting the person's thoracic region", as required by claim 13. Specifically, Danylieko '886 discloses a workout bench that is relatively more uniform in width, i.e., the width of the first support surface (ostensibly corresponding to the region between the lateral indentations 28) is not significantly less than that of the second (ostensibly corresponding to that portion of the support 12 distal of lateral indentations from the head support 32). Further, the width of the second support surface is insufficient for fully supporting the thoracic region. Therefore, Danylieko '886 clearly does not disclose all of the features of claim 13, nor of the claims which depend therefrom. Claim 14 requires that the width of the open areas be greater than the length, which Danylieko '886 clearly does not disclose. Claim 15 requires that the width of the open area be greater than the width dimension of the first support surface, which Danylieko '886 clearly does not disclose. Claim 16 requires that the width dimension of the first support surface is less than one third of the width of the second support surface, which Danylieko '886 clearly does not disclose. Claim 17 requires that the

first support surface solely supports the spinal column region of a person, which Danylieko '886 does not disclose.

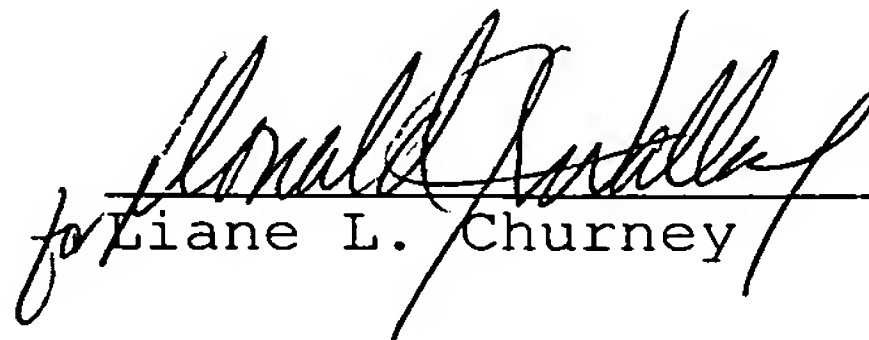
Claims 11-12 stand rejected under 35 USC §103(a) as being unpatentable over Danylieko '886 in view of any one of Falbo, Sr. et al. '196, Chandler '176 and Castillo '338. This rejection is respectfully traversed.

Danylieko '886 fails to disclose that the support surface is configured in such a way that the shoulder blade areas can move downward past the support surface, and the open areas each having an upper edge adjacent the head support section and a lower edge adjacent the back support section, the lower edge being substantially perpendicular to a longitudinal centerline of the back support section, as required by Claim 11. Each of Falbo, Sr. et al., Chandler and Castillo disclose a lower edge that is perpendicular to the longitudinal centerline. However, none of these secondary references disclose a construction that permits the shoulder blade areas to move downward past the support surface. In each of the four cited references, the center portion of the back support is too wide for the shoulder blades to move downward past the support surface; the references, either alone or in combination, do not disclose the claimed structure. Further, none of the cited references disclose that the support surface in the spinal column area is sufficiently narrow to support only the spinal column and that the shoulder blade areas can move downward past the support surface without interference, as required by Claim 12. Accordingly, withdrawal of the rejection and reconsideration of Claims 11-12 are respectfully requested.

In light of the foregoing amendment and remarks, withdrawal of the rejections and further consideration of the claims are respectfully requested. It is believed that the claims remaining in the application are in condition for

allowance. If necessary to further prosecution of the application, Examiner is invited to contact Applicant's representatives listed below.

Respectfully submitted,

 43977
for Liane L. Churney

LLC/DJW/jas

FLYNN, THIEL, BOUTELL
& TANIS, P.C.
2026 Rambling Road
Kalamazoo, MI 49008-1631
Phone: (269) 381-1156
Fax: (269) 381-5465

David G. Boutell	Reg. No. 25 072
Terryence F. Chapman	Reg. No. 32 549
Mark L. Maki	Reg. No. 36 589
Liane L. Churney	Reg. No. 40 694
John A. Waters	Reg. No. 24 802
Brian R. Tumm	Reg. No. 36 328
Donald J. Wallace	Reg. No. 43 977
Stephen C. Holwerda	Reg. No. 57 391
Dale H. Thiel	Reg. No. 24 323
Sidney B. Williams, Jr.	Reg. No. 24 949
Heon Jekal	Reg. No. L0379*

*limited recognition number

Encl: Substitute Specification
 Tracked Version of Substitute Specification
 Replacement Drawings (9 sheets)